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SIPDIS

SENSITIVE

DEPT FOR EUR/CACEN AND DRL

E.O. 12958: N/A

TAGS: PGOV PREL AM

SUBJECT: AMMENDMENTS TO ARMENIAN CONSTITUTION CAME  
INTO FORCE DECEMBER 8

Sensitive but unclassified. Please protect  
accordingly.

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SUMMARY  
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¶1. (SBU) Armenia formally adopted its amended constitution December 8, following the closure of the seven-day window for filing legal challenges to the November 27 constitutional referendum. According to Armenian law, only the President or one-third of the Parliament have standing to challenge the results of a national referendum. End Summary.

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NO FORMAL LEGAL COMPLAINTS FILED  
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¶2. (SBU) Amendments to the Armenian Constitution (endorsed by the Council of Europe's Venice Commission) adopted via national referendum on November 27, entered into force December 8. The new text of the Constitution was published in the special issue of the "Official Bulletin" on December 7, following the seven-day time limit for considering all possible legal complaints questioning the legitimacy of the referendum.

¶3. (SBU) According to the spokeswoman for the Central Electoral Committee (CEC) of Armenia, Tsovinar Khachatrian, the Central Electoral Commission of Armenia received no complaints or formal appeals regarding the conduct of the referendum from citizen groups, political parties or individuals. Khachatrian told us that all appeals regarding the referendum outcome should have been submitted within seven days after the referendum, but that the CEC did not receive any.

¶4. (SBU) In an interview with Mediamax, Deputy Chairman of the Constitutional Court of Armenia, Volodia Hovanesian, noted that during the seven days following the referendum, the Constitutional Court also did not receive any appeals contesting the outcome of the referendum. Hovanesian stated that "the amendments to the Constitution have already come into force and their content is not subject to appeal."

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COMMENT: UNREALISTICALLY BURDENSONE APPEALS PROCESS  
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¶5. (SBU) Despite widespread opposition and NGO protests about what they alleged to be a rigged vote November 27, no one filed a formal, legal complaint to either the Central Election Commission or the Constitutional Court contesting the referendum's outcome. A legal appeal contesting the vote's outcome could have been made either by the president or by one third of the National Assembly deputies. (Note: The governing coalition controls more than two-thirds of the seats in the National Assembly. End Note.) In the end, there was no one with legal standing who also had an interest in contesting the referendum results, thus the results stand.

EVANS